



JC04 Rec'd PCT/PTO 03 MAY 2001

PCT \$  
09/830992

TRANSMITTAL LETTER TO THE UNITED STATES

ATTORNEY'S DOCKET NUMBER 49500

DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP 99/08169	28 October 1999	3 November 1998 16 November 1998 1 March 1999

TITLE OF INVENTION: SUBSTITUTED 2-PHENYLBENZIMIDAZOLES, THE PREPARATION AND USE THEREOF

APPLICANT(S) FOR DO/EO/US Wilfried LUBISCH, Michael KOCK, Thomas HOEGER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. /X/ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
  2. / / This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
  3. /X/ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. /x / A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. /X/ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
    - a./X/ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b./ / has been transmitted by the International Bureau.
    - c./ / is not required, as the application was filed in the United States Receiving Office (RO/USO).
  6. /X/ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
  7. /X/ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
    - a./X/ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b./ / have been transmitted by the International Bureau.
    - c./ / have not been made; however, the time limit for making such amendments has NOT expired.
    - d./ / have not been made and will not be made.
  8. /X/ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. /x / An oath or declaration of the inventor(s) (35 U.S.C. 171(c)(4)).
  10. / / A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
11. /X / An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. /X / An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. /x / A FIRST preliminary amendment.  
/ / A SECOND or SUBSEQUENT preliminary amendment.
  14. / / A substitute specification.
  15. / / A change of power of attorney and/or address letter.
  16. /x / Other items or information.  
International Search Report  
International Preliminary Examination Report

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U.S. Appl. No. (If Known) INTERNATIONAL APPLN. NO.  
PCT/EP99/08169ATTORNEY'S DOCKET NO.  
49500

17. /X/ The following fees are submitted

CALCULATIONSPTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the

EPO or JPO.....\$860.00

860.00

International preliminary examination fee paid to USPTO

(37 CFR 1.482).....\$750.00

No international preliminary examination fee paid to

USPTO (37 CFR 1.482) but international search fee paid

to USPTO (37 CFR 1.445(a)(2)).....\$700.00

Neither international preliminary examination fee

(37 CFR 1.482) nor international search fee

(37 CFR 1.445(a)(2)) paid to USPTO .....\$ 970.00

International preliminary examination fee paid to

USPTO (37 CFR 1.482) and all claims satisfied pro

visions of PCT Article 33(2)-(4).....\$96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 860.00**

Surcharge of \$130.00 for furnishing the oath or declaration

later than / / 20 / / 30 months from the earliest

claimed priority date (37 CFR 1.492(e)).

ClaimsNumber FiledNumber ExtraRate

Total Claims

37

-20

17

X\$18.

306.00

Indep. Claims

-3

X\$80.

Multiple dependent claim(s) (if applicable)

+270.

**TOTAL OF ABOVE CALCULATION****=****1,166.00**

Reduction of 1/2 for filing by small entity, if applicable.

Verified Small Entity statement must also be filed

(Note 37 CFR 1.9, 1.27, 1.28).

**SUBTOTAL****=****1,166.00**

Processing fee of \$130. for furnishing the English

translation later than / / 20 / / 30 months from the

earliest claimed priority date (37 CFR 1.492(f)).

+

**TOTAL NATIONAL FEE****=****1,166.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)).

The assignment must be accompanied by an appropriate cover

sheet (37 CFR 3.28, 3.31) \$40.00 per property

**=****40.00****TOTAL FEES ENCLOSED****= \$****1,206.00**

Amount to be

refunded: \$

Charged \$

a./X/ A check in the amount of \$ 1,206. to cover the above fees is enclosed.

b./ / Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c./X/ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0345. A duplicate copy of this sheet is enclosed.**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.**SEND ALL CORRESPONDENCE TO:**

KEIL &amp; WEINKAUF

1101 Connecticut Ave., N.W.

Washington, D. C. 20036

SIGNATURE

Herbert B. Keil

NAME

Registration No. 18,967

patent application serial no. **09/830992**

*Department of Commerce  
Patent and Trademark Office  
fee record*

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01 FC:970	860.00	OP
02 FC:966	306.00	OP